

AS

Notice of Allowability

Application No.

10/070,623

Applicant(s)

ARBUCKLE ET AL.

Examiner

Art Unit

Richard D. Lovering

1712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMT FILED AUG. 26, 2003
2. ☒ The allowed claim(s) is/are 1 AND 3-65
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) ☐ hereto or 2) ☐ to Paper No. _____.
 (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☐ Notice of References Cited (PTO-892)
 3 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 5 ☐ Information Disclosure Statements (PTO-1449), Paper No. _____.
 7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 2 ☐ Notice of Informal Patent Application (PTO-152)
 4 ☒ Interview Summary (PTO-413), Paper No. 0903
 6 ☒ Examiner's Amendment/Comment
 8 ☒ Examiner's Statement of Reasons for Allowance
 9 ☐ Other

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Michael M. Geoffrey on September 23, 2003.

3. In claims 3-7, line 1 of each, "solution" has been cancelled, and --bisphenolic composition-- has been inserted in lieu thereof.

In claims 13, 20, 25, 33 and 41, line 2 of each: "and" has been cancelled, and --,-- has been inserted in lieu thereof; and after "toluene", the following expression has been inserted: --and mixtures thereof--.

5. In the specification, the following sentence has been inserted on page 1 between the Title and Field of the Invention: --This application is a 371 of PCT/US 00/34542 filed December 19, 2000.--

6. The following is an examiner's statement of reasons for allowance:

As to the rejections based on Dai Nippon (JP 60261639A), alone or in view of Kreibich et al. or Fry, even though Dai Nippon does disclose a water tolerance of 500% in

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use/advantage (applicants' assertion to the contrary notwithstanding), the Examiner agrees that the stated rejections must be withdrawn because Dai Nippon doesn't teach the importance of adding a bisphenolic compound to the reaction product when the range of water tolerance is from about 400% to about 1100%. See specification page 26, second full paragraph.

Any comments considered necessary by applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lovering whose telephone number is (703) 308-0443. The examiner can normally be reached on Mon.-Fri. from 7:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Dawson, can be reached on (703) 308-2340. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

R. Lovering:cdc
September 23, 2003

Richard D. Lovering
RICHARD D. LOVERING
PRIMARY EXAMINER
GROUP 1700